

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

CARLOS HUMBERTO CAB SIQUIC, and,)
SANTIAGO YAXCAL CUZ,)
)
on behalf of themselves and others similarly)
situated,)
)
) Civil Action No. 3:13-cv-00043-GEC
Plaintiffs,)
)
) CLASS ACTION
v.)
)
STAR FORESTRY, LLC, INDEPENDENT)
LABOR SERVICES, LLC, WHITE PINE)
REFORESTATION, LLC, AMY SPEARS-)
THOMAS, and DEVIN SPEARS-THOMAS)
)
Defendants.)

**PLAINTIFFS' MOTION FOR ENTRY OF DEFAULT JUDGMENT¹
AGAINST ALL DEFENDANTS**

Come now the Plaintiffs, Carlos Humberto Cab Siquic and Santiago Yaxcal Cuz, by counsel, and on behalf of themselves and others similarly situated, move this Court to enter default judgment against all the Defendants pursuant to Rule 55(b)(2). Each of the Defendants has been properly served and has failed to enter an appearance or file a responsive pleading. The Plaintiffs therefore ask this Court to enter judgment against the Defendants, jointly and

¹ Pursuant to *Roseboro v. Garrison*, 529 F.2d 309 (4th Cir. 1975), the Defendants are informed that they are entitled to file a response to this motion, and that the Court may award final judgment in on the basis of the Plaintiffs' motion if they do not respond. Any response should be filed within 14 days of service of this motion. In their response, the Defendants must identify all facts stated by the Plaintiffs with which they disagree, and must set forth their own version of the facts by filing affidavits or sworn statements. They are also entitled to file a legal brief in opposition to that filed by the Plaintiffs.

severally, in the following amounts on behalf of the opt-in Plaintiffs under 29 U.S.C. § 216(b):

Carlos Humberto Cab Siquic **\$56,398.11**

Renee Sangui Xol - **\$36,468.00**

Santiago Yaxcal Cuz - **\$16,856.00**

Rosendo Elias Cucul - **\$8,967.60**

Roberto Xol Paau - **\$9,360.00**

Ricardo Itz Cuc - **\$22,065.00**

Armando Cuc Xol - **\$28,098.00**

Ernesto Itz Coc - **\$17,694.11**

Jorge Paau Yaxcal - **\$38,609.82**

Hector Mo Cucul - **\$12,788.00**

Jose Domingo Xol - **\$27,480.00**

Juan Manuel Xol Tzib- **\$42,294.00**

Manuel Coc Sagui - **\$15,357.58**

Javier Choc Caal - **\$14,028.00**

Crisanto Tun Cho - **\$26,048.00**

Mario Rax Cuc - **\$26,048.00**

Alvaro Sagui Xol - **\$26,048.00**

Hermelindo Yaxcal Cuz - **\$26,048.00**

Rumaldo Botzoc Butz- **\$26,048.00**

Juan Xo Perez - **\$26,048.00**

In addition, the Plaintiffs request that the Court enter judgment on behalf of the Rule 23 class in the amount of **\$5,450,454.20.**

Dated: June 1, 2015

Respectfully submitted,

Carlos Humberto Cab Siquic

Santiago Yaxcal Cuz

By Counsel

/s/ Erin Trodden

Erin Trodden, VSB #71515
Mary C. Bauer, VSB #31388
Angela Ciolfi, VSB #65337
LEGAL AID JUSTICE CENTER
1000 Preston Ave., Suite A
Charlottesville, VA 22903
Tel.: 434-977-0553
Fax: 434-977-0558

Jason Raofield (*pro hac vice*)
Richard Anthony Lopez (*pro hac vice*)
Austin K. Hampton (*pro hac vice*)
Michael A. Chajon (*pro hac vice*)
COVINGTON & BURLING LLP
1201 Pennsylvania Avenue, NW
Washington, DC 20004
Tel.: 202-662-6000
Fax: 202-662-6291

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the above on the Defendants by filing this via the Court's Electronic Case Filing system, this 1st day of June, 2015, and by sending a copy via First Class U.S. Mail to the Defendants at their last known addresses:

Independent Labor Services, LLC
370 Rockwall Lane
Tilly, AR 72679

White Pine Reforestation, LLC
215 Paul Bunyan Dr., NW, #177
Bemidji, MN 56601

Devin Spears-Thomas
682 Swenson Rd., SE
Bemidji, MN 56601

Amy Spears-Thomas
682 Swenson Rd., SE
Bemidji, MN 56601

Star Forestry, LLC
1722 N. College Ave, C. 271
Fayetteville, AR 72703

/s/ Erin Trodden

Counsel for Plaintiffs